IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

OP.No. 5963 OF 2002(I)

PETITIONER:

INDIAN OVERSEAS BANK, MATTANCHERRY,
COCHIN-2.

BY ADV. SRI.K.N.SIVASANKARAN
SRI.V.V.ASOKAN
SRI.SUNIL SHANKER

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, TRIVANDRUM.

2. ASSISTANT COMMISSIONER
(COMMERCIAL TAXES), MATTANCHERRY.

3. THE TAHSILDAR (REVENUE RECOVERY),
TALUK OFFICE, FORT COCHIN, COCHIN-1.

4. TOLASARIA AND CO., 7/616, JEW TOWN,
KOCHI-2, REPRESENTED BY ITS MANAGING PARTNER.

GOVERNMENT PLEADER SRI. GOVINDAN.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 24/05/2007, ALONG WITH OP NO. 1792 OF 2003, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P. NO. 5963/2002

ORDER ON CMP NO. 10463/2002 IN O.P. 5963/2002

// DISMISSED //

24.5.2007. SD/-
P.R. RAMAN, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1	TRUE COPY OF THE DOCUMENT NO. 2204/1976, DATED 26.8.1976.
EXT.P2	TRUE COPY OF LETTER OF DEPOSIT OF TITLE DEEDS, DATED 16.4.1986.
EXT. P3	TRUE COPY OF LETTER OF DEPOSIT OF TITLE DEEDS DATED 7.8.1998.
EXT.P4	TRUE COPY OF THE STATEMENT OF ACCOUNT (PACKING CREDIT) .
EXT.P5	TRUE COPY OF THE STATEMENT OF ACCOUNT (BILL PURCHASE).
EXT.P6	TRUE COPY OF THE STATEMENT OF ACCOUNT (CASH CREDIT)
EXT.P7	TRUE COPY OF THE NOTICE OF SALE ISSUED BY 3RD RESPONDENT.
EXT.P8	TRUE COPY OF THE LETTER TO THE 3RD RESPONDENT DATED 22.2.2002.
EXT.P9	TRUE COPY OF THE LAWYER NOTICE DATED 23.3.2001.

RESPONDENTS' EXHIBITS:

NIL.

// TRUE COPY //

P.S. TO JUDGE.

KNC/-

P.R. RAMAN, J.

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In view of the authoritative pronouncements as above, there is no merit in these original petitions and following the above decisions, these original petitions are dismissed.

P.R. RAMAN,
(JUDGE)

knc/-

P.R. RAMAN, J.
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O.P. NOS. 5963/02 & 1792/2003

J U D G M E N T

DATED: 24.5.2007